

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND  
(Salisbury Division)**

In Re:

Robert A. Koch

*Debtor*

Case No.: 24-14256-DER  
Chapter 13

**APPLICATION OF THE DEBTOR FOR AUTHORIZATION TO EMPLOY,  
COMPENSATE, AND DISBURSE COMPENSATION TO, REALTOR**

Robert A. Koch, Debtor, by and through undersigned counsel, Eric S. Steiner, hereby move and make application (this "Application") for the Court to enter an order, pursuant to sections 327(e) and 331 of title 11 of the United States Code (the "Bankruptcy Code"), Federal Rules of Bankruptcy Procedure 2014 and 2016, and Rule 2016-1(b) of the Local Bankruptcy Rules of the United States Bankruptcy Court (the "Local Rules"), authorizing the retention and employment of the Guy Sabatino of Long and Foster as realtor for the Debtor, and in support thereof, states:

**JURISDICTION AND AUTHORITY**

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicates for the relief sought herein are sections 105, 327, 328, 330 and 331 of the Bankruptcy Code, and Fed. R. Bankr. P. 2014 and 2016.

**BACKGROUND**

2. On May 17, 2024 (the "Petition Date"), the Debtor filed a Voluntary Petition under Chapter 13 of the Bankruptcy Code, commencing in this Court in Case No.: 24-14256.

3. Brian A. Tucci currently serves as Chapter 13 trustee.

4. Among the assets of the bankruptcy estate is the Debtor's residential real property located at 44 King Richard Rd., Berlin, MD 21811 (the "Property"), which the Debtor intends to sell for the benefit of the bankruptcy estate. The Debtor believes the real property should be sold privately to obtain the best sales price.

5. It is necessary and desirable for the Debtor to employ the services of a realtor to assist in selling the Property, and the Debtor seeks to employ Guy Sabatino, a realtor licensed by the State of Maryland, to sell the Property.

6. The amount of compensation to be paid to Guy Sabatino is 5 percent (5%) of the gross sales price of any sale procured by said realtor as either a broker or co-broker, payable only upon consummation of an unconditional settlement. The Debtor believes, and therefore alleges, that the aforesaid rate of compensation is fair, reasonable, and in accord with the custom of the industry for the sale of the aforesaid real property. Moreover, it is within industry custom for said commission to be paid to the realtor at time of settlement. As such, it is respectfully submitted that if the amount of the realtor's proposed compensation is disclosed in the notice of any proposed sale and no objections are filed thereto, it is appropriate to approve said compensation without the need for a subsequent application having to be submitted herein.

7. To the best of the Debtor's knowledge, Guy Sabatino has no connection with the Debtor, creditors, any other party in interest, or their respective attorneys and accountants, is a disinterested person within the meaning of 11 U.S.C. 101(14), does not hold or represent any interest adverse to the estate, and has no connection with the United States Trustee or with anyone employed in the Office of the United States Trustee.

8. An Affidavit of Guy Sabatino pursuant to F.R. Bankr. P. 2014(a) is attached hereto and incorporated by reference herein.

WHEREFORE, the Debtor prays:

1. That he be authorized to employ Guy Sabatino to sell the property located at 44 King Richard Rd., Berlin, MD 21811;

2. That Guy Sabatino be allowed compensation in the amount of 5 percent (5%) of the gross sales price of any sale of the aforesaid real property procured by said realtor as either a broker or co-broker;

3. That he be authorized to disburse the allowed compensation to Guy Sabatino at the settlement of any sale of the aforesaid real property solely out of the proceeds of the sale of any sale procured by said realtor as either a broker or co-broker, without further order of this Court;

4. That he be awarded such other and further relief as to this Court may seem just and proper.

Respectfully submitted,

/s/ Eric S. Steiner

Eric S. Steiner, Esquire

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of July, 2024, a copy of the foregoing was served by the Court's CM/ECF system and/or U.S. mail, postage prepaid, as indicated, to:

Brian A. Tucci  
Chapter 13 Trustee  
*VIA ECF*

Guy Sabatino  
*VIA E-MAIL PER PRIOR AGREEMENT*

Linda St. Pierre  
Counsel for Wilmington Savings Fund  
Society, FSB  
*VIA ECF*

Daniel J. Pesachowitz  
Counsel for NewRez, LLC  
*VIA ECF*

/s/ Eric S. Steiner  
Eric S. Steiner